

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BAR-RAY PRODUCTS, INC., : **CIVIL ACTION NO. 1:05-CV-2298**

Plaintiff : (Judge Conner)

v.

RAY LAPOF,

Defendant :

RAY LAPOF, : **CIVIL ACTION NO. 1:05-CV-2319**

Plaintiff : (Judge Conner)

v.

BAR-RAY PRODUCTS, INC.,

Defendant :

ORDER

AND NOW, this 27th day of July, 2006, upon consideration of the stipulation (Civil Action No. 1:05-CV-2298, Doc. 20; Civil Action No. 1:05-CV-2319, Doc. 15), in which the parties concur in the filing of an amended complaint in Civil Action No. 1:05-CV-2319 and in the consolidation of the above-captioned cases, and it appearing that the above-captioned cases involve common parties and common questions of fact and law, see FED. R. CIV. P. 42(a), and that none of the parties oppose consolidation of the above-captioned cases, see Cella v. Togum Constructeur Ensembleier en Industrie Alimentaire, 173 F.3d 909, 912-13 (3d Cir. 1999) (discussing consolidation), it is hereby ORDERED that the stipulation (Civil

Action No. 1:05-CV-2298, Doc. 20; Civil Action No. 1:05-CV-2319, Doc. 15) is CONSTRUED as a motion for leave to amend the complaint and a motion to consolidate the above-captioned cases and is GRANTED as so construed as follows:

1. The Clerk of Court is directed to remove the proposed document (Civil Action No. 1:05-CV-2319, Doc. 15, Ex. A) from the docket in this case, file it as an amended complaint in Civil Action No. 1:05-CV-2319 as of the date of this order, amend the docket to reflect the parties named therein, and issue a summons.
2. The above-captioned cases are CONSOLIDATED for all purposes.
3. The Clerk of Court is directed to CONSOLIDATE the case docketed as Civil Action No. 1:05-CV-2319 into the case docketed as Civil Action No. 1:05-CV-2298 and to CLOSE the case docketed as Civil Action No. 1:05-CV-2319.
4. All future documents filed in this consolidated case shall be filed under the case docketed as Civil Action No. 1:05-CV-2298.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge